

Application No. 10/544,120
Paper Dated: November 21, 2008
In Reply to USPTO Correspondence of August 6, 2008
Attorney Docket No. 0388-051649

REMARKS

In the Office Action, the claims have been restricted under 35 U.S.C. § 121 between the following groups:

Group I: Claims 9-15 and 17-19, drawn to the sound detecting mechanism; and

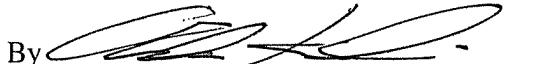
Group II: Claim 16, drawn to the method of manufacturing the sound detecting mechanism.

Applicants hereby provisionally elect for further prosecution the invention of Group I, claims 9-15 and 17-19, drawn to the sound detecting mechanism.

Applicants respectfully traverse the above-described election requirement on the grounds that no serious burden exists on the Examiner by examining the claims of Groups I and II in a single application. Applicants submit that the Examiner must explain by appropriate explanation why there would be a serious burden as opposed to merely stating that "one or more of the following reasons apply" without explaining how and which one of the reasons are applicable.

Therefore, Applicants respectfully request that the restriction requirement be withdrawn. Should the restriction requirement be maintained, Applicants reserve the right to file a divisional application or take such other appropriate measures as Applicants deem necessary to protect the inventions recited within the non-elected inventions.

Respectfully submitted,
THE WEBB LAW FIRM

By 

Adam J. Komorowski
Registration No. 62,575
Attorney for Applicants
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com